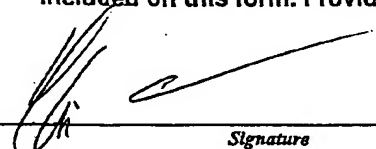


AMENDMENT TRANSMITTAL LETTER				Docket No. 32/159805(3)	
Applicant(s): Raymond I. Myers					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/750,789	Jan 2, 2004	D. Shay	22822	3739	1486
Invention: Lenticular Refractive Surgery of Presbyopia, other Refractive Errors, and Cataract Retardation					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	31	36 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	5	4 =	1	x \$100.00	\$100.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$100.00
<p>No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account</p> <p style="margin-left: 20px;"><input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p style="margin-left: 20px;"><input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
 _____ Signature			Dated: 6/30/06		
Kirk A. Damman, #42,461 Lewis, Rice & Fingersh, L.C. 500 North Broadway, Suite 2000 Box IP Department St. Louis, MO 63102			<div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p> <p style="text-align: center;">_____ (Date)</p> <p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p> <p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p> </div>		
CC:					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
Raymond I. Myers	:	
Appln. No.: 10/750,789	:	Art Unit: 3739
Filed: 2 JANUARY 2004	:	Examiner: David Shay
For: LENTICULAR REFRACTIVE SURGERY :	:	Docket No.: 32/1198US(3)
OF PRESBYOPIA, OTHER REFRACTIVE :	:	
ERRORS AND CATARACT :	:	
RETARDATION :	:	

Commissioner for Patents
Alexandria, VA 22313

Second Preliminary Amendment

Sir:

Applicant submits the following remarks and amendments prior to the examination of the above referenced case on the merits. Applicant respectfully requests entry of this amendment prior to substantive examination.

The Examiner is thanked for the courtesy of the in-person Interview on May 18, 2006. In that Interview the Examiner indicated that various prior claims and the newly presented claim (now claim 37) appeared to overcome the art addressed in the Interview. However, the case would probably require restriction of claims to three groups.

Amendments to the Claims: Begin on Page 2.

Remarks: Begin on Page 8.